

Tim Luke  
W 34 - 2005


BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION	)	
OF WATER TO WATER RIGHT NOS.	)	ORDER OF RECUSAL AND
34-372A, 34-372B, AND 34-690B	)	CONTINUATION OF HEARING
	)	

The hearing officer, Gary Spackman, has been discussing future mitigation and other matters of water administration with water users whose water rights describe points of diversion within the Big Lost River Drainage. The participants in these discussions include water users who requested a hearing following the Order in the Matter of Administration of Water, dated July 12, 2004, and the Amended Order in the Matter of Distribution of Water, Order to Show Cause, and Notice of Status Conference, dated July 23, 2004. These discussions have the potential to compromise the neutrality and impartiality of the hearing officer. As a result, **the hearing officer disqualifies himself as the hearing officer for the hearing scheduled on February 9, 2005.** An independent hearing officer will be assigned to conduct the hearing.

Because of the lateness of the disqualification and the need to assign another hearing officer, **the hearing scheduled for February 9, 2005 is canceled and continued until a later date.**

Dated this 1<sup>st</sup> day of February, 2005.

  
\_\_\_\_\_  
Gary Spackman  
Hearing Officer

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of February, 2005, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

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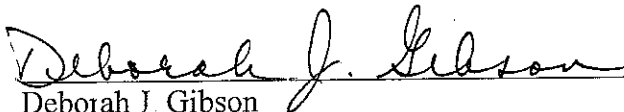
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Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau